

REMARKS

This Amendment and Response is filed in reply to the Office action dated October 17, 2007. Claims 1, 9, 18, 26, 35, 43 and 52 are amended and claims 3-4, 11-13, 20-21, 28-30, 37-38, 45-47 and 54-55 were previously cancelled. Accordingly, after entry of this Amendment and Response, claims 1-2, 5-10, 14-19, 22-27, 31-36, 39-44, 48-53 and 56-59 remain pending.

I. Claim Rejections Under 35 U.S.C. § 103

Claims 1-2, 5-10, 14-19, 22-27, 31-36, 39-44, 48-53 and 56-59 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Bierman, "Using XML as an Object Interchange Format," *Department of Computer Science, University of Warwick*, May 17, 2000, pp 1-13 (hereinafter "Bierman") in view of U.S. Patent Application Publication No. US 2003/0229529 to Mui et al. (hereinafter "Mui").

A proper prima facie obviousness rejection requires 1) a suggestion or motivation to modify the prior art reference or combine the reference teachings; 2) a reasonable expectation of success; and 3) that the combined references teach or suggest all of the claim limitations. See *MPEP* § 2143. Initially, the rejections of independent claims 1, 9, 18, 26, 35, 43 and 52 are addressed.

Independent claims 1, 9, 18, 26, 35, 43 and 52 are directed toward allowing data objects created in a plurality of programming languages to be stored in a database and shared by applications written in a plurality of programming languages. The objects are stored as XML documents. Access to the database is provided such that an application stores and accesses the objects as objects implemented in that particular application's programming language.

More specifically, independent claim 1, as amended, includes the limitation "providing access to the database of objects such that application programs implemented in the first and second programming languages are capable of sharing objects, in their respective programming language, represented as structured documents in the database." The other independent claims, as amended, each include a similar limitation. The Applicant respectfully submits that neither Bierman nor Mui teach or suggest such a limitation. Bierman discloses how to convert an object to an XML document. See *Bierman*, page 2, section 3. That is, Bierman discloses how to map attributes and attribute values in an object to tagged attribute elements and tagged attribute values in the XML document representing the object. However, Bierman does not disclose or suggest providing access to the database of objects such that application programs implemented in the first and second programming languages are capable of sharing objects, in their respective programming

language, represented as structured documents in the database as required by the independent claims.

Further, Mui is insufficient to remedy the deficiency of Bierman. Mui discloses the use of a common business objects module that is shared across applications. See *Mui*, paragraph 114. Metadata, rather than source code, is used to store the definition of each type of object in the system, its attributes and basic properties of the attributes, as well as references to the methods for invoking, inserting, updating, deleting and fetching an object. See *Mui*, paragraph 238. Use of metadata allows the system to be configured and otherwise modified by different clients. See *Mui*, paragraph 232. That is, Mui discloses a system that provides a common database of objects that is accessed via metadata references to the methods for manipulating the objects, rather than providing access to the database of objects such that application programs implemented in the first and second programming languages are capable of sharing objects, in their respective programming language, represented as structured documents in the database as required by the independent claims.

Accordingly, neither Bierman nor Mui disclose or suggest all of the claim limitations of the independent claims. For at least this reason, the Applicant respectfully submits that independent claims 1, 9, 18, 26, 35, 43 and 52 are patentable under 35 U.S.C. § 103(a) over Bierman in view of Mui, and such indication is respectfully requested.

The remaining rejected claims 2, 5-8, 10, 14-17, 19, 22-25, 27, 31-34, 36, 39-42, 44, 48-51, 53 and 56-59 all depend, either directly or indirectly, from one of independent claims 1, 9, 18, 26, 35, 43 and 52. Accordingly, these claims are themselves patentable under 35 U.S.C. § 103(a) over Bierman in view of Mui, and such indication is respectfully requested. This statement is made without reference to or waiving the independent bases of patentability within each dependent claim.

II. Conclusion


The Applicant thanks the Examiner for his thorough review of the application. The Applicant respectfully submits the present application, as amended, is in condition for allowance and respectfully requests the issuance of a Notice of Allowability as soon as practicable.

This Amendment is submitted contemporaneously with a petition for a one-month extension of time in accordance with 37 C.F.R. § 1.136(a). Accordingly, please charge Deposit Account No. 04-1415 in the amount of \$120.00, for a one-month extension of time fee. The Applicant believes no further fees or petitions are required. However, if any such petitions or fees are necessary, please consider this a request therefor and authorization to charge Deposit Account No. 04-1415 accordingly.

If the Examiner should require any additional information or amendment, please contact the undersigned attorney.

Dated: Feb. 19, 2008

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Gregory P. Durbin', is written over a horizontal line.

Gregory P. Durbin, Registration No. 42,503
Attorney for Applicant
USPTO Customer No. 66083

DORSEY & WHITNEY LLP
Republic Plaza Building, Suite 4700
370 Seventeenth Street
Denver, Colorado 80202-5647
Phone: (303) 629-3400
Fax: (303) 629-3450